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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/536,994

05/31/2005

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EXAMINER

OKEKE, IZUNNA

ART UNIT

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2132

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/536,994	BENJELLOUN TOUIMI ET AL.	
	Examiner	Art Unit	
	IZUNNA OKEKE	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 (canceled claims 1-10) is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/31/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 11 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 11 recites a use rights adaptation unit which is being interpreted as a server for conversion of the rights expression language. Claim 11 further goes on to recite the adaptation unit associated with means for determining said particular language in which said use rights associated with said information are expressed, with means for determining the one or more use rights expression languages recognized by said recovery means of said consultation station, and with use rights conversion means for converting the use rights associated with said information when expressed in a language that is not recognized by said recovery means of said consultation station between said particular language in which the use rights associated with the information are expressed and another language selected from the one or more languages recognized by said recovery means of the consultation station.

These different means and the way they are being claimed make the invention indefinite and unclear. Although claim 11 recites the "adaptation unit associated with means for determining ..." The relation(s) between the adaptation unit and the recited means is not clear. Is the adaptation unit a server that recognizes the different rights

expression languages and does the conversion? Applicant is advised to revise Claim 11 to clearly state what the invention is and distinctly claim the subject matter.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Cho (KR-2002019806).

Referring to claim 11:

Regarding claim 11, Cho teaches a system for accessing information associated with rights to use that information expressed in a particular rights expression language at a consultation station including use rights recovery means adapted to recognize use rights expressed in one or more different languages in order to access said information (Page 8, Para 1 teaches a system for accessing DRM info and Page 8, Para 2 teaches a client platform which recognizes the DRM info to determine if it supports it or not), which system includes a use rights adaptation unit associated with means for determining said particular language in which said use rights associated with said information are expressed, with means for determining the one or more use rights expression languages recognized by said recovery means of said consultation station, and with use rights conversion means for converting the use rights associated with said information when expressed in a language that is not recognized by said recovery means of said consultation station between said particular language in which the use rights associated

with the information are expressed and another language selected from the one or more languages recognized by said recovery means of the consultation station (Page 9, Para 36 and Page 10 teaches the server as the rights adaptation unit for converting the use rights from an unsupported version to a version supported by the client platform)

Referring to claim 12:

Regarding claim 12, Cho teaches a system according to claim 11, wherein said means for determining the one or more rights expression languages recognized by said recovery means of said consultation station include an adaptation server comprising means for remotely interrogating the recovery means (Page 8, Para 3 teaches the server communicating with and interrogating the client platform using an information screen means).

Referring to claim 13:

Regarding claim 13, Cho teaches a system according to claim 11, wherein said means for determining the one or more rights expression languages recognized by said recovery means of said consultation station include means for declaring to said adaptation unit the one or more languages recognized by said recovery means (Page 9, Para 2 teaches the information screen as the means for declaring to the server the DRM info recognized or used by the client platform)

Referring to claim 14:

Regarding claim 14, Cho teaches a system according to claim 11, wherein said information and said associated use rights are stored in the same information server connected to said consultation station and to said adaptation unit via an information transfer network (Page 7, Para 3 teaches a

system wherein the DRM info and the digital content are stored in the same content providers and connected to both the server and the client platform).

Referring to claim 15:

Regarding claim 15, Cho teaches a system according to claim 11, wherein said information is stored on an information server and said use rights associated with the information are stored on a rights management server, said information server, said rights management server, said consultation station and said adaptation unit being interconnected via an information transfer network, and said information including information as to the location of said rights management server to enable said consultation station to interrogate said rights management server in order to receive the rights associated with said information (Page 7, Para 4 teaches content provider 120 storing the digital contents and the DRM info associated with the contents. Page 7, Para 3 further teaches the content provider, the server and the client platform connected together through a communication network).

Referring to claim 16:

Regarding claim 16, Cho teaches a system according to claim 14, including a plurality of consultation stations connected to said information server through said information transfer network via a plurality of network nodes and a plurality of adaptation units integrated into each of the nodes connected directly to said consultation station (Page 7, Para 3 teaches a plurality of clients connected to the content provider through the information network and a plurality of servers).

Referring to claim 17:

Regarding claim 17, Cho teaches a system according to claim 11, wherein said consultation station is connected to said adaptation unit via a mobile telecommunication network and an information transfer network and said networks are connected by a gateway including information conversion means adapted to convert the information between said mobile telecommunication network and said information transfer network (Page 4, Para 1 and page 8, Para 2 teaches a communication network and as is understood in the art, a mobile communication network falls under a communication network).

Referring to claim 20:

Regarding claim 20, Cho teaches a method of accessing information associated with rights to use that information expressed in a particular rights expression language at a consultation station including use rights recovery means adapted to recognize use rights expressed in one or more different languages in order to access said information, which method includes:

- a step of determining the expression language of said rights (Page 8, Para 2 teaches determining the DRM architecture by determining if the client can or cannot support it);
- a step of determining the one or more use right expression languages recognized by said recovery means of said consultation station (Page 8, Para 2 teaches determining the DRM architecture by determining if the client can or cannot support it);
- a step of converting said use rights expressed in said particular language in which the use rights associated with the information to be transmitted are expressed into another language selected from the one or more languages recognized by said recovery means

(Page 9, Para 5 and 6 teaches a method of converting the DRM architecture from one architecture to another recognized by the client platform); and

- a step of sending said converted rights to said consultation station (Page 8, Para 3 teaches sending the converted rights to the client platform).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cho (KR-2002019806), and further in view of Nuttall et al. (US-20030004895).

Referring to claim 18:

Regarding claim 18, Cho teaches a system according to claim 11, with a consultation station recovery means adapted to recognize the DRMREL rights expression language (Page 8 Para 2 teaches the client platform recognizing the DRM architecture).

Cho does not teach that the consultation station can also be a mobile device.

However, Nuttall teaches a consultation station or consumer substation as a mobile device (See Nuttall, Para 110 teaches a wireless device as a consumer substation).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Cho's system to also incorporate a mobile device as a client platform as taught by Nuttall for the purpose of making the system more efficient and highly compatible by including mobile devices as much digital contents are being utilized by mobile devices.

7. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cho (KR-2002019806), and further in view of Bormans et al. (NPL,

http://www.chiariglione.org/mpeg/standards/mpeg-21/mpeg-21.htm#_Toc23297977)

Referring to claim 19:

Regarding claim 19, Cho teaches a system according to claim 11 which uses DRM architecture.

Cho does not teach the DRM language as MPEG-21 rights expression language.

However, Bormans teaches MPEG-21 rights expression language (See Bormans, Section 5.5 teaches MPEG-21 rights expression language).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Cho's DRM language to MPEG-21 REL as disclosed by Bormans for the purpose of defining rights for media contents such as video.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Valenzuela et al. (US-2003/0182142) discloses a system and methods for manipulating rights expressions for use in connection with a rights management system include one or more tokenized templates (See Abstract).

b. Lockhart et al. (US-6944776) discloses a system and method for data rights management across multiple data rights management architectures is disclosed. The system and method solves the problems posed by multiple incompatible data rights management architectures (See Abstract)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IZUNNA OKEKE whose telephone number is (571)270-3854. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Taghi T. Arani/
Supervisory Patent Examiner, Art Unit 4193
5/9/2008